

House Bill 708 (AS PASSED HOUSE AND SENATE)

By: Representatives Maxwell of the 17th and Richardson of the 19th

A BILL TO BE ENTITLED
AN ACT

1 To amend an Act to providing a new charter for the City of Dallas in Paulding County,
2 approved March 24, 1988 (Ga. L. 1988, p. 4121), as amended, so as to repeal provisions
3 relating to the chief executive officer, city clerk, police chief, and removal of the city clerk
4 or police chief; to provide for powers and duties of the mayor; to provide for administrative
5 responsibilities of the city manager; to provide for the removal of the city manager; to
6 provide for the appointment of a temporary city manager; to provide for duties and powers
7 of the city manager; to repeal conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 An Act providing a new charter for the City of Dallas in Paulding County, approved March
11 24, 1988 (Ga. L. 1988, p. 4121), as amended, is amended by revising Section 2.27, relating
12 to the executive powers of the chief executive officer, as follows:

13 "SECTION 2.27.

14 Reserved."

15 **SECTION 2.**

16 Said Act is further amended by revising Section 2.28 as follows:

17 "SECTION 2.28.

18 Powers and duties of mayor.

19 The mayor shall:

- 20 (1) Possess all of the executive powers granted to the city under the Constitution and
21 laws of the State of Georgia;

(2) Preside at all meetings of the mayor and city council and have the right to take part in the deliberations of said council but shall not vote on any question except in the case of a tie;

(3) Sign all deeds and contracts, except deeds for property sold under execution at a public sale;

(4) Be clothed with veto power as set out in this charter;

(5) Keep the city council advised from time to time of the general condition of the city, and recommend such measures as he or she may deem necessary or expedient for the welfare of the city; and

(6) Call the city council together at any time he or she deems necessary."

SECTION 3.

Said Act is further amended by revising subsection (b) of Section 3.10 as follows:

"(b) The city manager is authorized and empowered to make and execute contracts within the scope of his or her duties as defined by this charter, other than employment contracts, so long as such contracts meet the requirements of purchasing procedures, budget policies, and personnel practices which have been formally adopted by the city council."

SECTION 4.

Said Act is further amended by revising Section 3.12 as follows:

"SECTION 3.12.

Removal of city manager.

The mayor and city council may remove the city manager from his or her position, suspend the city manager with or without pay, or take such other actions concerning the employment of the city manager so long as such actions are taken at a legal meeting of the city council and have the affirmative vote of at least four members of the city council."

SECTION 5.

Said Act is further amended by revising Section 3.13 as follows:

"SECTION 3.13.

Temporary city manager.

1 If deemed necessary by the mayor and city council due to the temporary absence or
2 disability of the city manager, the mayor and city council may appoint any qualified person
3 to serve as acting city manager and fix his or her compensation."

4 **SECTION 6.**

5 Said Act is further amended by revising paragraph (5) of Section 3.14 as follows:

6 "(5) He or she shall have jurisdiction over and the authority to hire or remove all
7 employees of the city in every department of the city, except that the final
8 recommendation to hire or terminate a department head must be ratified by the city
9 council before taking effect."

10 **SECTION 7.**

11 Said Act is further amended by revising Sections 3.16, 3.17, and 3.18, relating respectively
12 to the appointment and duties of the city clerk, the appointment and duties of the police chief,
13 and the removal of the city clerk and the police chief, as follows:

14 "SECTION 3.16.

15 Reserved.

16 SECTION 3.17.

17 Reserved.

18 SECTION 3.18.

19 Reserved."

20 **SECTION 8.**

21 All laws and parts of laws in conflict with this Act are repealed.